



☐ Worksheet Draft

☒ Final Application Date
Rcvd: ____/____/____



CONSOLIDATED APPLICATION FORM IRRIGATION EFFICIENCIES GRANTS PROGRAM/TRUST WATER RIGHTS PROGRAM



(Check all that apply.)

☐ Temporary

IF TEMPORARY, START DATE ____/____/____
END DATE ____/____/____

☒ Permanent

☐ Portion of the identified existing water right

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS****

1. Recipient Information:

☐ Yes ☐ No Does the Cost Share Recipient own all water rights pertinent to this project proposal?

APPLICANT/BUSINESS NAME Harrell & Sons Farms, LLC Sprinkler Conversion Project #2	PHONE NO. (509) 248-6030	FAX NO. (509) 453-6880
ADDRESS c/o Larry Martin, Esq. and Paul C. Dempsey, Esq. Velikanje Halverson P.C. (lmartin@vhlegal.com) PO Box 22550 (pdempsey@vhlegal.com)		
CITY Yakima	STATE WA	ZIP CODE 98907

2. How is Water to be Made Available for Trust from (Manastash Creek)

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input checked="" type="checkbox"/> Alteration in method of water application (conversion from rill irrigation to sprinkler irrigation)
<input type="checkbox"/> Other, Explain:	

PARENT: CS4-00477 CTCL06 CR R05 06-30-2009
Court Claim 00477
Sub II MANASTASH
06-30-1878
CRD = 34-83513-J "i"

CS4-00477 sb//ie2

1EGP

Project Summary (Please be specific about every detail):

This sprinkler conversion project and associated trust application is part of the Manastash Creek Restoration Project, which is working to improve fish habitat for listed Mid-Columbia summer steelhead, as well as other salmonids and resident fish species, by providing fish passage and fish screening and enhancing instream flow in Manastash Creek. The project is working to open 25 miles of fish habitat in the Creek by providing fish passage and screening for seven irrigation diversions and by improving instream flow in a 3-mile stretch of Creek that is seasonally dry. The Manastash Creek Restoration Project "Implementation Plan" details improvements to instream flow conditions in Manastash Creek through voluntary water conservation and acquisition projects.

The Applicant diverts water from Manastash Creek and delivers the water to the place of use via Reed Ditch. Once the irrigation water reaches the Applicants property it is delivered to the place of use through pipelines and earthen ditches. The project area is irrigated with pvc gated pipe in a rill irrigation system.

The Applicant, through a cost share agreement with KCCD, will upgrade from rill irrigation to a more efficient center pivot sprinkler system. The saved water from the conversion will be trusted in perpetuity to the Washington Trust Water Right Program for instream flow enhancement in Manastash Creek. Currently, the Applicant utilizes rill irrigation to irrigate an 82-acre section of Timothy hay on their property. The 82-acre section of land **does not** have supplemental water rights from the Kittitas Reclamation District (KRD) or West Side Irrigating Company.

For this project, the Applicant proposes to trust the following amounts listed below when the full instantaneous rates are available. Additional pro-rationing of trust water can occur as Creek flows recede. There are two separate water rights and trust applications associated with this sprinkler conversion project.

Applicant's Trust Water Donation

Claim 00477: 6th class water right, 1878

March 1 – March 31	0.52 cfs	31.97 AF/y
April 1 – June 30	1.04 cfs	201.38 AF/y
July 1 – October 31	0.52	126.87 AF/y
Total 6th class		360.22 AF/y

Source: Manastash Creek

Use: Instream Flow

Period of use: March 1st through October 31st in perpetuity

Quantity: 360.22 AF/y at full water right allotment.

Priority Date: June 30, 1878

Place of Use: Manastash Creek downstream from the MWDA/Consolidated point of diversion to the confluence with the Yakima River.

Applicant's Previous Trust Water Application (received by DOE Feb 2012)

Claim 00477: 6th class water right, 1878

Source: Manastash Creek

Purpose of Use: Instream Flow

Period of use: April 1 through October 31 in perpetuity

Annual Quantity: 266.58 AF/y for irrigation

Priority Date: June 30, 1878

Place of Use: Manastash Creek downstream from the MWDA/Consolidated point of diversion to the confluence with the Yakima River.

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
(Claim No. 00477) Instream Flow	0.4 cfs	266.58	March 1 – March 31
	0.8 cfs		April 1 – June 30
	0.4 cfs		July 1 – October 31

Attachments

February 9, 2012, Order *Pendente Lite* Re: Temporary Change in Places of Use, which confirms the pre-trust attributes of the subject water right as of the date of this Application.

3. Project Cost Share Information

LEASE LENGTH PROPOSAL (IN YEARS)	Perpetuity
PROPOSED WATER SAVINGS AMOUNT (CFS) <u>Highest for both applications</u>	<u>1.04</u> CFS
PERCENTAGE OF TOTAL WATER SAVINGS TO TRUST	<u>100</u> PERCENT
ESTIMATED COST OF PROJECT PROPOSAL	<u>\$401,654.08</u>
COST SHARE AMOUNT REQUESTED	<u>\$246,000</u>
NUMBERS OF ACRES SERVED BY THIS PROPOSAL	<u>82</u> ACRES
COST PER ACRE	<u>\$3,000</u>
COST PER CFS	<u>\$ 386,205.85</u>
MATCH DOLLAR SOURCE? <u>BPA Grant</u> AMOUNT:	<u>\$ 155,654.08</u>

WATER RIGHT DESCRIPTION

4. Water Right Holder Information

If Water Right Holder is the Cost Share Recipient, please skip to number 4.

NAME (IF DIFFERENT FROM ABOVE)	PHONE NO. ()	FAX NO. ()
IS THE WATER RIGHT HOLDER AN IRRIGATION DISTRICT?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
ADDRESS		
CITY	STATE	ZIP CODE

5. Water Right Information:

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established.

WATER RIGHT OR CLAIM NUMBER CTCL #00477	RECORDED NAME(S) Harrell & Sons Farms LLC
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE WATER DIVERSIONS / WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE PUMP-POWER RECORDS AVAILABLE FOR THE LAST FIVE YEARS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
ARE AERIAL PHOTOS OF THE PROJECT SITE AVAILABLE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE FSA CROP RECORDS AVAILABLE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
ARE THERE ANY OTHER RIGHTS, CLAIMS, OR RELEVANT CHANGES ASSOCIATED WITH THE PROJECT AREA? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
(other priority date water rights)	
IMPORTANT! PROVIDE INFORMATION OF THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS:	

6. Project Water Information

NUMBER OF ESA OR SASSI LISTED SPECIES IN AFFECTED TRIBUTARY?

two

MONTHS CRITICAL TO LISTED SPECIES? (PLEASE HIGHLIGHT OR CIRCLE)

January February March April May June July August September October November December

MONTHS WHEN PROJECT WATER SAVINGS WILL INCREASE INSTREAM FLOW IN PROJECT TRIBUTARY?

January February March April May June July August September October November December

HISTORIC / BENEFICIAL USE QUANTITY OF THE WATER RIGHT? (Highest of the last 5 irrigation seasons; in instantaneous rate and annual quantity)

CFS 1.84 April 1 – June 30, 0.92 Mar 1 – Mar 31 and July 1 – Oct 31 AF 626.8

TOTAL QUANTITY OF PROJECT WATER SAVINGS?

CFS 1.04 April 1 – June 30, 0.52 Mar 1 – Mar 31 and July 1 – Oct 31 AF 360.22

WILL THE INSTANTANEOUS RATE SAVINGS VARY FROM MONTH TO MONTH THROUGH THE IRRIGATION SEASON?

☒ YES ☐ NO

(Please list quantities by month)

January February March April May June July August September October November December

0.52----/ 1.04 -----/ 0.52-----/

pro-rated as creek flows drop

QUANTITY OF PROJECT WATER SAVINGS TO TRUST?

CFS 1.04 April 1 – June 30, 0.52 Mar 1 – Mar 31 and July 1 – Oct 31 AF 360.22

WILL THE INSTANTANEOUS RATE SAVINGS APPLIED TO THE TRUST VARY FROM MONTH TO MONTH THROUGH THE IRRIGATION SEASON?

☐ YES ☒ NO

(Please list quantities by month)

January February March April May June July August September October November December

0.52----/ 1.04 -----/ 0.52-----/

pro-rated as creek flows drop

Manastash Creek diversions are reduced by priority date as water availability is limited during the irrigation season and all Manastash Creek water rights are cut in half on July 1.

IS THE WATER RIGHT PART OF AN ADJUDICATED BASIN?

☒ YES ☐ NO

EXPLAIN HOW THE SENIORITY OF THE RIGHT(S) RELATES TO OTHER RIGHTS IN THE PRIMARY REACH:

This water right being trusted is Class 6 water. Manastash Creek water rights ranges from Class 1 to Class 20. This water right is in the second 20% of Manastash Creek water rights.

EXPLAIN HOW THE SENIORITY OF THE RIGHT(S) RELATES TO OTHER RIGHTS ABOVE AND BELOW THE PRIMARY REACH:

The earlier priority dates must be satisfied before the newer priority dates can receive water.

7. Point(s) of Diversion/Withdrawal:

A. Existing POD

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Ck		NW	NE	14	17	17	215133	
500 feet south and 150 feet east of the north quarter corner of Section 14, being within the NW ¼ NE ¼ of Section 14, T. 17 N., R. 17 E.W.M.								

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

B. Proposed POD

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
No Change								

8. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 80 acres	1.04	360.22	April 1 – June 30
	0.52		Mar 1 – Mar 31 & July 1 – Oct 31
Instream Flow (Feb 2012 application)	0.8	266.58	April 1 – June 30
	0.4		Mar 1 – Mar 31 & July 1 – Oct 31

B. Proposed Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Instream Flow (includes Feb 2012 application)	1.84	626.8	April 1 – June 30
	0.92		Mar 1 – Mar 31 & July 1 – Oct 31

9. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
<p><u>Within Township 17 N., Range 18 E., WM:</u></p> <p>Within Section 5: Gov Lots 3 & 4, and the NE ¼, and the S ½ of the NW ¼, and the N ½ and SW ¼ of the SW ¼ plus that portion of the SE ¼ of the SW ¼ north of Hanson Rd, and the NW ¼ of the SE ¼ and the N ½ of the NE ¼ of the SE ¼ plus that portion of the SW ¼ of the SE ¼ north of Hanson Rd.; and</p> <p>The SE ¼ of Section 6; and</p> <p>The NE ¼ NE ¼ NE ¼ of Section 7; and</p> <p><u>Within Township 18 N., Range 18 E., WM:</u></p> <p>The S ½ SE ¼ of Section 32.</p>							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
	multiple	5	17 N.	18 E.	Kittitas	17-18-05010-0001	698.3
NE	SE	6	17 N.	18 E.	Kittitas	17-18-05020-0001	
NE	NE	7	17 N.	18 E.	Kittitas	17-18-05040-0004	
S ½	SE	32	18 N.	18 E.	Kittitas	17-18-06010-0001	
						17-18-07010-0001	
						18-18-32040-0007	
						18-18-32040-0010	
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Manastash Creek instream flow enhancement.

10. Remarks and Other Relevant Information:

Please cc correspondence with applicant to Mark Crowley (mark-crowley@conservewa.net) &/or Sherry Swanson (sherry-swanson@conservewa.net) at KCCD (509-925-8585 ext 4)

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

11. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me. I also understand that I may rescind this application at any time prior to signing the Irrigation Efficiencies Grants Program's Cost Share Agreement with no other obligations or requirements.

Carl Samell member 10 / 16 / 2012
(Applicant) (Date)

Carl Samell member 10 / 16 / 2012
(Water Right Holder) (Date)

Carl Samell member 10 / 16 / 2012
(Land Owner(s) of Existing Place of Use) (Date)

For further information contact:

Your local conservation district
or
Jon K. Culp, Program Manager
Washington State Conservation Commission
Irrigation Efficiencies Grants Program
(509) 826-7212,
jculp@scc.wa.gov